

Appl. No. 10/697,465
Reply dated March 14, 2006
Reply to Office Action of November 14, 2005

Remarks

Claims 1-22 are pending. Claims 1-10 are shown as "withdrawn" status due to previous restriction requirement and election. Please amend claims 11 and 17 as shown on the attached claims listing. Support for the amendment to claims 11 and 17 may be found in the application specification at page 4, lines 33-36, for example.

Pursuant to 37 C.F.R. § 1.114, reconsideration of the present application in view of the foregoing amendments and following remarks is respectfully requested.

By way of sections 2 and 3 of the Office Action mailed November 14, 2005, the claims were rejected under 35 U.S.C. §112 because claims 11 and 17 contain the term "as-formed cross machine direction extensible nonwoven web", and specifically the term "as-formed", which was added by way of amendment in Applicants' paper filed October 8, 2005, was objected to as being indefinite. As of the instant amendment, the objected-to term "as-formed" has been deleted from presently amended claims 11 and 17. As such, Applicants submit that this rejection under 35 U.S.C. §112 is now moot.

By way of sections 4 - 6 of the Office Action mailed November 14, 2005, the claims 11-22 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 5,804,021 to Abuto et al. (hereinafter "Abuto et al.") or alternatively under 35 U.S.C. § 103(a) as allegedly being obvious to one of ordinary skill in the art at the time the invention was made and thus unpatentable over Abuto et al. This rejection is hereby traversed to the extent it may apply to the currently amended claims.

The invention as claimed in claim 11 is drawn to a cross machine direction extensible nonwoven web consisting essentially of continuous thermoplastic fibers and a plurality of thermal bond points in a pattern. The continuous thermoplastic fibers have an average diameter greater than about 10 microns, the nonwoven web has a substantially uniform basis weight, and the force required to extend the bonded nonwoven web 30 percent in the cross

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The Examiner is encouraged to call the undersigned at his convenience to resolve any remaining issues.

The undersigned may be reached at: 770-587-8908.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I, Robert A. Ambrose, hereby certify that on March 14, 2006, this document is being faxed to the United States Patent and Trademark Office, central facsimile machine at (571) 273-8300.

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